

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**JIMMY POWELL, a/k/a
JAMEL ANSAARU EL MAJID**

PLAINTIFF

VS.

CIVIL ACTION NO. 3:18-CV-472-CWR-LRA

ROGER DAVIS, ET AL

DEFENDANTS

ORDER ON MOTION FOR JURY INSTRUCTIONS

This matter came before the Court on the Motion for Court's Local Civil-Jury Trial Instructions filed by Plaintiff Jimmy Powell [Doc. #60]. In seeking relief, Powell relies on Fed. R. Civ. P. 51(a)(1): "At the close of the evidence or at any earlier reasonable time that the court orders, a party may file and furnish to every other party written requests for the jury instructions it wants the court to give." Based on this language, Powell seeks "the Court's Local Civil Jury-Trial-Instructions."

The Defendants have not opposed the Motion; however, there are no documents of that description that the Court can forward to Powell. By way of explanation, jury instructions are written by counsel, or a pro se party, and sent to the Court. To the extent that there is a "request," it is a request that the Court accept the proposed instruction as accurately stating the law and read the proposed instruction to the jury. To further explain how Rule 51 operates, this Court has a corresponding Local Rule:

Rule 51. REQUESTS FOR JURY INSTRUCTIONS

- (a) When Due. Requests for instructions must be submitted not later than fourteen days before the date for which trial is set; additional and revised instructions may be admitted thereafter as the evidence may justify.
- (b) How Presented. Each requested instruction must be on a separate document, must be numbered (as P-1, et seq. and D-1, et seq.), and must be supported by citation of authority on papers separate from the requested instruction. Copies must be furnished to opposing counsel when the special requests are submitted to the court. Where good cause is shown to exist, counsel may, with the permission of the court, submit additional written requests during the progress of the trial.

A deadline for submitting instructions will be established at the pretrial conference held by the District Judge.

Also pending is the Defendants' Motion to Extend Deadline [Doc. #61]. The Motion, which is also unopposed, sought permission to file dispositive motions on or before January 20, 2020. The Court agreeing that there will be no prejudice to the Plaintiff due to this extension, and the Defendants having filed their Motion for Summary Judgment on January 20, the Motion will be granted.

IT IS, THEREFORE, ORDERED the Motion for Court's Local Civil-Jury Trial Instructions filed by Plaintiff Jimmy Powell [Doc. #60] is hereby **denied**.

IT IS FURTHER ORDERED, that the Defendants' Motion to Extend Deadline [Doc. #61] is hereby **granted**.

SO ORDERED, this the 29th day of January, 2020.

/s/ Linda R. Anderson
UNITED STATES MAGISTRATE JUDGE